## 1 STEVEN G. KALAR Federal Public Defender EÒËZSÒÖÆÄ EFHEFÍ E 2 VARELL L. FULLER Assistant Federal Public Defender 3 55 South Market Street, Suite 820 San Jose, CA 95113 Telephone: (408) 291-7753 4 5 Counsel for Defendant CRUTCHFIELD 6 7 IN THE UNITED STATES DISTRICT COURT 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA 9 SAN JOSE DIVISION 10 11 UNITED STATES OF AMERICA. No. CR-14-00051 RMW 12 Plaintiff, STIPULATION AND [] 13 ORDER CONTINUING HEARING DATE AND MOTIONS SCHEDULE AND VS. 14 EXCLUDING TIME UNDER THE SPEEDY JUSTIN EVERETT CRUTCHFIELD and TRIAL ACT DEMONTAE TERELL TOLIVER, 15 16 Defendants. 17 18 **STIPULATION** 19 Defendants Justin Crutchfield and Demontae Toliver, by and through their respective 20 counsel, and the United States, by and through Assistant United States Attorney Jeffrey Nedrow, 21 hereby stipulate that, with the Court's approval, the motions hearing currently set for Monday, 22 May 6, 2015, shall be continued to Monday, June 8, 2015, at 9:00 a.m. 23 In addition, the parties stipulate and agree to the following modified briefing schedule: 24 The defendants' motions shall be due on Monday, May 11, 2015; the government's response 25 shall be due on Tuesday, May 26, 2015; and the defendants' reply, if any, shall be due on 26 Monday, June 1, 2015. Stipulation and [] Order 1 No. CR 14-00051 RMW

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1	The reason for the requested continuance is to enable the parties to pursue the possibility
2	of a pretrial resolution and to provide defense counsel with the reasonable time necessary for
3	effective preparation, taking into account the exercise of due diligence.
4	The parties agree that the time between May 11, 2015, and June 8, 2015, is excludable
5	under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).
6	IT IS SO STIPULATED.
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8	Dated: April 6, 2015
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10	VARELL L. FULLER Assistant Federal Public Defender
11	Counsel for defendant Crutchfield
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13	Dated: April 6, 2015
14	c.l
15	JAY RORTY Counsel for defendant Toliver
16	
17	Dated: April 6, 2015
18	s/
19	JEFFREY NEDROW Assistant United States Attorney
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	Stipulation and [] Order No. CR 14-00051 RMW 2

1	[] ORDER
2	GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
3	ORDERED that the hearing set for Monday, May 11, 2015, shall be continued to Monday, June
4	8, 2015, at 9:00 a.m.
5	IT IS FURTHER ORDERED that the briefing schedule for pretrial motions shall be as
6	follows: The defendants' motions shall be due on Monday, May 11, 2015; the government's
7	response shall be due on Tuesday, May 26, 2015; and the defendants' reply, if any, shall be due
8	on Monday, June 1, 2015.
9	THE COURT FINDS that failing to exclude the time between May 11, 2015, and June 8
10	2015, would unreasonably deny continuity of counsel and would unreasonably deny counsel the
11	reasonable time necessary for effective preparation, taking into account the exercise of due
12	diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).
13	THE COURT FURTHER FINDS that the ends of justice served by excluding the time
14	between May 11, 2015, and June 8, 2015, from computation under the Speedy Trial Act
15	outweigh the interests of the public and the defendants in a speedy trial.
16	THEREFORE, IT IS HEREBY ORDERED that the time between May 11, 2015, and
17	June 8, 2015, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
18	3161(h)(7)(A) and (B)(iv).
19	IT IS SO ORDERED.
20	$\boldsymbol{\mathcal{D}}$
21	Dated: 1 # Horald M. Whyte
22	THE HONORABLE RONALD M. WHYTE United States District Court Judge
23	Officed States District Court Judge
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